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STRICTURES

ON THE

LATE POLITICAL CONDUCT

OF

BAILIE SMITH;

IN WHICH

HE IS VINDICATED FROM THE IMPUTATION

OF ENTERTAINING VIEWS HOSTILE TO THE INTEREST OF

MR DUNDAS;

AND

OTHER *MOTIVES ARE ASSIGNED FOR HIS CONDUCT.*

EDINBURGH:

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STRICTURES, &c.

TO animadvert upon the character of any individual, or to repreſent him as actuated by motives which his own conduct does not warrant, is an invidious taſk, and ſuch as the author of theſe Strictures truſts ſhall not be attributable to him, upon a candid peruſal. When he firſt read over Bailie Smith's Addreſs, he muſt confeſs, that he felt himſelf impreſſed differently at different parts of the narrative; at one time ſuppoſing it to proceed from *honourable* and *public* motives; and, at another, that it was *ſelf*, more than any other conſideration, which had occaſioned it. Upon a more attentive peruſal of it, however, he thought he had diſcovered the *real* object which had actuated Mr Smith, from beginning to end of his Magiſterial career; but, not having acceſs to the City's books, and truſting that thoſe people entruſted with the management of its finances, whoſe conduct is ſo loudly, and, if Mr Smith's averments be true, ſo juſtly complained of, would not only be able to anſwer him upon the ſtate of the City's funds, but would alſo, while they felt themſelves called upon to wipe off the imputations thrown out againſt them, be able, at the ſame time, to expoſe Mr Smith's motives in coming before the Public, he did not think it would be neceſſary

for him to obtrude upon the Public attention, in a buſineſs, upon the principal part of which he could throw ſo little light, and the little light which he might be able to throw upon it, only going to affect the *motives* for making the diſcloſure, not the truth of the ſtatements given.

Theſe gentlemen, however, ſeem to take the matter calmly, and to diſregard the *offer* of Mr Smith, to *prove* his aſſertions '*when cal-*' *led upon.*' The only anſwer made to him is by an OLD MAGISTRATE, and by one who terms his A CALM AND SERIOUS REPLY.—From theſe publications we learn little.

The *Old Magiſtrate* gives a ſtate of the City's funds, very different, indeed, from Mr Smith's, but to which little credit can be paid, not being ſanctioned by any authority. The only other information we receive from this Anſwer any way intereſting to the Public, though by no means to the preſent point, is, that the famous Dr GILBERT STEWART, and the equally famous JUNIUS, are *one and the ſame perſon;* the reſt of his pamphlet being taken up with *perſonal abuſe*, againſt one whom he ſeems to have been unable to confute in fact or argument. In doing this, he has *aped* the ſtyle of, and *committed innumerable plagiariſms* upon, his favourite JUNIUS, but ſeems to have forgotten, that SIR WILLIAM DRAPER attacked JUNIUS, not JUNIUS SIR WILLIAM DRAPER.

THE CALM AND SERIOUS REPLY, (a title the Author ſeems to have adopted, in order to ſhew *how contrary he could act* to *his own profeſſion*) while it condemns the *ſcurrility* of the OLD MAGISTRATE, runs, if poſſible, *deeper* into that fault, and

and clearly ſhews, that if the Author of it, and the OLD MAGISTRATE, *be not* ONE AND THE SAME PERSON, they were bred in the *ſame* ſchool. This production throws no light upon the ſubject, nor is it remarkable for any thing but an aſſertion, that Mr Smith intended to become 'City Re-'preſentative' himſelf; and for an eulogy upon the late Provoſt Elder, drawn in the moſt glowing colours, though, probably, not more ſo than he juſtly deſerved from the perſon who penned it.

OBSERVATIONS by AN INHABITANT OF EDINBURGH, upon the ADDRESS and ANSWER have alſo made their appearance, couched in a ſtyle rather more temperate, and more *calm and ſerious*, than either of the others. In it a fair ſtatement is given of the aſſertions contained in the Addreſs, and Anſwer by an Old Magiſtrate; ſome very pointed and diſpaſſionate arguments are deduced, and the *Managers* of the City are called upon to ſtep forward, and to confute Mr Smith's ſtatements, if they be falſe, as, by their ſilence, they are, on that ſuppoſition, ſubjecting the credit of the City 'to *unneceſſary* ſuſpicion;' or, if they be true, 'to confeſs the fact, and to 'ſatisfy their conſtituents that they are adopting 'the neceſſary meaſures for *retrieving* their af-'fairs.' Upon Mr Smith's motives, in ſtarting the queſtion, this INHABITANT is ſilent, giving it as his opinion, that whatever they were, 'he has 'certainly ſerved the Public by his preſent Ad-'dreſs.'

As, however, the motives of every man's actions, ſhould enter ſomewhat into the degree of credit to be paid to him, particularly when theſe motives

motives can be gathered from his own conduct, as ſtated by himſelf, the following attempt to inveſtigate Mr Smith's object, in his preſent Addreſs to the Town Council, and in ſubmitting it to the conſideration of the Public, may not be unacceptable.

The magnitude of the money tranſactions of the City of Edinburgh, ſeem *early* to have attracted Mr Smith's attention, nor is it an unwarrantable ſuppoſition, that he *as early* formed the wiſh of having *ſome ſhare* in the management of them. A man who acts purely from public and diſintereſted motives, is ſeldom over-much given to *caution*. Mr Smith, however, the moment he had enquired at 'ſome of the gentle-'men *then in office*, Whether the City kept any 'books?' upon their informing him '*that they did* '*not know!*' immediately begins himſelf to take the alarm, and to think that he had proceeded far enough, for the preſent. 'Finding I was on 'delicate ground,' ſays he, 'and that I ſhould in-'ſtantly become an object of ſuſpicion, if I were 'to puſh my enquries farther, as well as con-'ſidering my ſhort ſtanding in the Council, I re-'ſolved to be quiet.' Had Mr Smith's motives, in making theſe enquiries, been altogether diſintereſted, What reaſon had he immediately to ſuppoſe, that he was to become *an object of ſuſpicion?* Was there any thing in his enquiring, Whether the City kept books, to ſubject him to that character? Or, is it not rather probable, that, *conſcious* of a deſire to participate in the manage-

ment

ment of theſe funds himſelf, he naturally takes the alarm, and reſolves not to proceed too far at firſt, leſt thoſe *then* in the management of them *ſhould ſuſpect his intention?*—So, thinking he had gone far enough, for the preſent, with the gentlemen *then in office*, he proceeds in his enquiries at different gentlemen *out* of Council, of whom he does not ſeem to be ſo much afraid, or to ſuppoſe himſelf *ſo much* an object of *their* ſuſpicion.—From theſe gentlemen, Mr Smith ſtates, that he received the ſame anſwer. 'They were all alike 'ill informed; not one of them had ever *ventured to take it upon him* to make even the ſlighteſt 'inveſtigation.'

The inveſtigation made by Mr Smith, at this period, does not ſeem to have proceeded *any great* length; nor does he ſeem, more than the gentlemen who had formerly been in office, willing to *venture to take it upon him*, to make ſuch inveſtigation, while there was any chance of his continuing in office, and a hope thereby remained of his gaining, what ſeems to have been his ultimate end, LORD PROVOST, and afterwards the CHAMBERLAINSHIP.—His project for accompliſhing this was not yet ripe.

At Michaelmas 1796, Mr Smith ſtates, that, by means of Sir James Stirling, he was appointed to the office of Old Treaſurer, in which character he became a Member of the Lord Provoſt's Committee, where buſineſs is debated and prepared previouſly to its being tabled in Council. 'The remarks,' ſays he, 'which I had formerly made, here recurred with double force, and 'I now began to ſpeak of them with greater

'freedom

'freedom to my friends. I was ſtrongly urged 'by them to ſuggeſt the propriety of the Town's 'keeping regular books, *upon a mercantile prin-* 'ciple, ſo as to ſhew at all times the exact ſitua- 'tion of their affairs; but obſerving that myſte- 'ry, as much as poſſible, ſtill prevailed; that 'no one appeared deſirous of furniſhing the 'ſmalleſt information; and, feeling that I did 'not poſſeſs the weight in Council neceſſary to 'enſure the ſucceſs of ſuch a meaſure, I adopt- 'ed my former courſe, and ſtill remained quiet.'

The office of City Chamberlain, much about this time, became vacant, by the reſignation of Mr Buchan. We learn from Mr Smith, that Mr M'Ritchie, a gentleman who had *already* ſufficiently experienced the favour of the Town Council of Edinburgh, Colonel Crichton, and Mr Hay, the *ſucceſsful* candidate, were applicants for this ſituation. Had Mr Smith *wiſhed* to ſuggeſt the propriety of the Town keeping regular books, *upon a mercantile principle*, What better oportunity could have offered itſelf than the nomination of a *new* Chamberlain? *He* muſt neceſſarily have been a ſtranger to the duties of the office altogether, and any *new* regulations muſt, in a ſhort time, have been equally familiar to him, as the *ordinary* mode obſerved in the management of that office. But, Mr Smith did not poſſeſs the *weight of Council* neceſſary to enſure the *ſucceſs* of ſuch a meaſure!—Is it poſſible to ſuppoſe, that *any* man, appointed to ſuch an office as Chamberlain of the City of Edinburgh, would look upon it as a hardſhip, to be obliged to keep books *upon a mercantile principle*?

principle?—Or, that a *weight in Council* was neceſſary to enſure the adoption of ſuch a regulation?—Will it not rather fall to be preſumed, that *Mr Smith* did not yet poſſeſs the weight in Council, neceſſary to enſure the ſucceſs of the meaſure he had *originally* planned, namely, being *himſelf* appointed to the office of Chamberlain?—That this was the caſe will be ſhewn more clearly hereafter.

Mr Hay was appointed to the office of City Chamberlain at Martinmas 1796; and, in his commiſſion, Mr Smith ſtates, that the words *during pleaſure*, which had been inſerted in the commiſſions of Mr Buchan, and his predeceſſor Mr Fiſher, had been omitted, either by negligence or connivance.

'Matters went on,' ſays Mr Smith, 'nearly in 'the uſual train till Michaelmas 1797, every day's 'experience convincing me of the neceſſity, but 'at the ſame time of the practicability of clearing 'up the affairs of the City. I had not to look far, 'however, to diſcover, that this object, though a 'favourite one, both with Mr Wood and myſelf, 'would meet with very ſerious oppoſition from 'Mr Gray and Mr Hay. The former gentleman never was at any time given to too much 'explanation, or at all friendly to enquiry, and 'the latter ſeemed now equally to deal in myſtery.'

At Michaelmas 1797, Mr Smith ſtates, that he had reaſon to expect that he ſhould be appointed to the office of Treaſurer, but that, upon a compromiſe, he accepted, at the requeſt of Sir James Stirling, of the office of third Magiſtrate. In this ſituation, he had, for one oth is colleagues,

Mr Jackſon, by whom it was propoſed, that a reform ſhould immediately be ſet on foot in the City's affairs, he having, for that purpoſe, obtained the approbation of Mr Elder, then Lord Provoſt. To this Mr Smith moſt cordially agreed, expreſſing his aſtoniſhment, that ſuch a thing had never before been attempted. With the frankneſs of Mr Smith's declaration, Mr Jackſon was well pleaſed, and mentioned another thing which it was his intention to bring forward inſtantly; namely, the ſettlement of a ſalary for Mr Hay, as Chamberlain, and to require him to find ſecurity for his intromiſſions. Of this, alſo, Mr Smith unequivocally approved; and, Mr Jackſon having gone over nearly the ſame ground with Mr Dalrymple, another of their colleagues, received from him ſimilar encouragement.

After waiting a conſiderable time, and with ſome anxiety, for the reſult of Mr Jackſon's labours, during which time, a great intimacy between him and Mr Hay is alledged to have taken place, in conſequence of which they began to entertain doubts of Mr Jackſon's bringing the point of reform to bear, Mr Dalrymple is ſtated, after an additional delay, to have put the queſtion to Mr Jackſon, 'Whether he had yet taken 'the meaſures he had promiſed, for requiring the 'Chamberlain to find ſecurity for his intromiſ-'ſions? To which Mr Jackſon, jocularly, and with 'an evident view to get quit of the queſtion, an-'ſwered, "We," (the then Magiſtrates) "were not "the perſons who had brought him into office; let "thoſe who had put him there look to that."—

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By this, it was clearly proved to Meſſrs Dalrumple and Smith, that Meſſrs Jackſon and Hay had now united upon ſome principle, to themſelves beſt known, in conſequenoe of which, the former deſpaired, upon their own intereſt, ' of ' ever being able to accompliſh either the one ' object or the other.'

The principal meaſures brought forward by Mr Jackſon, during their Magiſtracy, pointing in any way to the relief of the affairs of the City, Mr Smith ſtates to be *two:* 1*ſt*, ' A motion, ' which,' ſays he, ' I believe was firſt ſuggeſted ' by Mr Dalrymple to Mr Elder, regarding the ' expence of the Council's eating and drinking; ' in which he propoſed to cut off one or two of ' the yearly public entertainments, and to drink ' no French wine, by which it was computed ' that a ſaving of from L. 200 to L. 300 a-year ' would accrue to the Good Town.' ' 2*d*, A ' motion for regulating the petty diſburſements ' in the Council Chamber, on account of the po- ' lice, forbidding any trifles to be paid away by ' the Clerks, except in the preſence of a Magi- ' ſtrate, whoſe initials were inſtantly to be writ- ' ten oppoſite to the article, in a book to be ' kept for that purpoſe. This alſo was approved ' of, as what was expected to ſave from L. 100 ' to L. 200 a-year. But,' ſays Mr Smith, ' im- ' portant as theſe ſums might appear in them- ' ſelves, they could be regarded only as *clippings*, ' without by any means touching the root of the ' great evil; for no ſteps were as yet taken to ' lay open and inveſtigate the general ſtate of ' the City's affairs, without which it was impoſ-

'ſible for the Governors of a great Community,
'like Edinburgh, to know how to ſhape their
'courſe either for the encreaſe of the revenue,
'or the diminution of its expenditure, and, con-
'ſequently, to know how to diſcharge their du-
'ty, except in ſo far as they might be *led* by a
'Clerk or a Chamberlain! In this reſpect we re-
'mained juſt as much in the dark as we had e-
'ver done before.'

'Having ſeen,' continues Mr Smith, 'that
'every ſtep of Mr Jackſon's was in concert with
'Mr Hay and Mr Gray, and well knowing how
'adverſe theſe gentlemen were to our views, in
'reſpect at leaſt to the management of the
'affairs of the City of Edinburgh, I began to
'deſpair of any ſucceſs, and now looked on in
'ſilence; but an opportunity favourable to my
'wiſhes ſoon occurred.

'In the month of Auguſt laſt year, a diſpute
'aroſe amongſt the members of Council re-
'ſpecting a ſucceſſor to Mr Elder for the Chair
'of the City, but having no reference whatever
'to its repreſentation in Parliament, on which
'there could be but one opinion, and this ulti-
'mately producing a diviſion in the Council,
'the party to which I belonged, as the ſupporters
'of Sir James Stirling, proved ſucceſsful. While
'the iſſue of the conteſt was doubtful, I found
'that Meſſrs Hay and Gray, the former particu-
'larly, were in an underhand way giving us all
'the oppoſition in their power, moſt groſsly
'miſleading (as one, if not both of them, have
'done on this occaſion) the friends of Mr Dun-
'das, as to the fairneſs of our intention towards
'him.

'him. I knew not how to fight with ſecret foes 'like them, becauſe, although every where 'working againſt us, they were *grey* in the 'ſcience of politics, and were no where to be 'found; but expecting that, if ſucceſsful, I 'ſhould be enabled to bring forward my plan, 'and knowing how much each of them diſliked 'enquiry, I reſolved, as well to put the gentle-'men upon their guard, as to commit myſelf 'upon the ſubject, to give immediate notice to 'the Council that ſuch was my intention.

'Accordingly, on the 5th December 1798, I 'gave my notice, which ſtands on the Council 'Records.'

Mr Smith came into Council, as already ſtated, in September 1795, and it is ſingular, that although an inveſtigation into the management of the affairs of the City, ſeems, from his own ſtatement, to have been all along the object next his heart, he never broached himſelf publicly to the Council upon that ſubject, till the month of September 1798, three years thereafter, and, at a time too, when politics ran ſo high as to have rendered it a matter of doubt, whether he would be enabled any longer to preſerve a footing in the Council.—The purport of the motion made by him, even then, and the cautious way in which it is worded, are worthy of obſervation. It is couched in theſe terms: 'Bailie Smith begs 'leave to give notice, that againſt next meeting 'of the Council, he will ſubmit to their conſi-'deration, a motion touching the office of Cham-'berlain of the City of Edinburgh; one object 'of which, amongſt others, will be, to confine,

'as

'as well the perſon holding that office, as the 'other officers and ſervants of the City, to the 'proper duties of their reſpective departments, 'under ſuch certification as the Council may 'judge proper to enact.'

He further intimates, 'That ſoon after that 'buſineſs ſhall be diſpoſed of, he expects to be 'able to bring forward certain other motions 'reſpecting particular branches of the City's 'Revenue and Expenditure.'

In this notice, nothing *ſpecial* with regard to the *Revenue* and *Expenditure* of the City is condeſcended on. The motion ſeems principally, if not wholly, directed to the conduct of Chamberlain Hay, who had ſurely imprudently and improperly interfered in the City politics, and who, Mr Smith himſelf ſays, was, in an underhand way giving *his* party all the oppoſition in his power, and moſt groſsly miſleading the friends of Mr Dundas, as to the fairneſs of their intentions towards him. To correct which, and to confine Mr Hay to the proper duties of his department was the chief purport of this notice.

That this *was* the bent of the motion then made, and that the motions reſpecting particular branches of the City's revenue and expenditure were only *to be* brought forward, if Mr Smith ſhould latterly find himſelf in the minority, and be turned out of Council, in which caſe, he would ſtill, as an Old Bailie, and, of courſe, entitled to remain another year in office, have liberty to bring forward what regulations he might think proper, under this *general* intimation, is apparent

apparent from his ſubſequent conduct. For, ſays he, 'On the week following,' (by which time he found that Sir James Stirling's party, to which he belonged, had ſecured a majority) 'I again intimated to the Council, that my propoſitions were ready, but that as they embraced a greater variety of objects than were even contained in the notice, I could not expect the Council to adopt them without firſt remitting them, according to practice, to committees of their own number, for conſideration and report. The elections being then immediately to take place, before which it would be impoſſible to bring the buſineſs to a period, and expecting that theſe would ſtrengthen our intereſt, I was deſirous of waiting their iſſue, that I might know the names of the gentlemen who were likely to form the committees, and, therefore, with the approbation of my friends, I begged leave of the Council to withhold my propoſitions till the elections ſhould be over, to which they had no objection.'

Thus, it appears, that Mr Smith, finding himſelf ſecure in his ſituation, and in favour with the majority of the Council, again loſes ſight of his *pretended* favourite object, keeping it, however, ſtill *in dubio* what were his intentions in that reſpect, and reſerving an opportunity to himſelf to bring them forward, whenever he ſhould ſee occaſion. He, to be ſure, amuſes us with information of *various conſultations* between him and his friends upon the buſineſs; but the whole reſult of theſe conſultations, or, at leaſt, all that he and his friends thought proper to bring

bring forward, conſiſted in—fixing Mr Hay's ſalary—obliging him to find ſecurity for his intromiſſions—and, *Mr Smith's principal object*, having him elected into office *annually*.—Having, Mr Smith ſays, reſolved to finiſh one thing before beginning to another, they make *this* the firſt object of their care; but are prevented from proceeding farther by the delay of the Chamberlain in finding caution. 'The month of September,' ſays that gentleman, 'having now commenced, without the Chamberlain's bonds being executed, it became a queſtion, whether in that ſtate of matters, we ought to proceed, or to wait until that buſineſs ſhould be concluded.'

It ſeems *unfortunately* too, to have been the fate of Mr Smith, that, no ſooner were his plans of reform, in the management of the City's finances, ripe for being brought forward, than the *elections* approached!—'Another reaſon,' ſays he, 'partly induced us to adopt the latter mode, namely, the impoſſibility of fulfilling our intentions previouſly to the elections, which were now ſo near at hand. Our plans would unavoidably have to go to committees; and, as the individuals who were to compoſe them, could not be known till the new Members ſhould have come into Council, we agreed to poſtpone them, (as had been done laſt year in the buſineſs of the Chamberlain) until October next.'

This election, however, having a more unfavourable appearance to Mr Smith's intereſt than the preceding,—not his *motion* regarding certain branches of the City's revenue and expenditure, which, in September 1798, he *expected* to be ſoon

able

able to bring forward: But, that the Good Town, of which Mr Smith had for *four* years been one of the Managers, and during which time, notwithſtanding his repeated *conſultations with his friends*, he had never taken any *active* meaſures for its preſervation, is IN A STATE OF BANKRUPTCY, is at once ſounded in the ears of the *aſtoniſhed* COUNCIL, not one of them knowing any thing of the matter, owing to the concealment of Meſſrs GRAY and HAY; and the ſame *pleaſing* information is immediately publiſhed to the world!

Had the preſent election turned out equally favourably to Mr Smith's wiſhes with the preceding, Would this have been the conduct he would have adopted?——No.——There is little doubt but he would not *yet* have been *able* to bring forward the motion he gave notice of *twelve months* before. Mr Smith's grand object had been already ſecured. The office of CHAMBERLAIN, which ſhould be for life, *and during proper management*, had been rendered ELECTIVE, *annually* after the filling up of the Council. ——Had Mr Smith's party prevailed, there is little doubt that *next* election we ſhould have ſeen him raiſed to the chair of CHIEF MAGISTRATE. After having ſecured a majority for that purpoſe, he would have found little difficulty in ſelecting ſuch a Council, as, in conſequence of his uncommon knowledge in figures, would have had no heſitation in thinking they *ſerved* the Public, by incorporating the office of CHAMBERLAIN and the Management of the *other* funds of the City, preſently in the hands of Mr

M'Ritchie, and others, into ONE, and committing the *ſuperintendence* of the WHOLE, to Mr Smith. For this, the preſent mode of management, as exhibited in the Addreſs to the Council, would have afforded the beſt poſſible excuſe.—For, that Mr Smith is, probably, better qualified for ſuch an office, than almoſt any other individual in this country, no perſon who knows him will diſpute. And, that the Town of Edinburgh would be a conſiderable *gainer*, by beſtowing a handſome ſalary upon *ſome* perſon to *ſuperintend* its affairs, and to call to account even the CHAMBERLAIN, CITY CLERKS, *&c.* and to ſee that regular RENTALS be made up, and the FEU-DUTIES, *&c.* regularly called in, cannot admit of a doubt.

It has been generally reported, and from Mr Smith's own account we find it to have been impreſſed upon the minds of great part of the Council, that that gentleman entertained views inimical to the intereſt of our RIGHT HONOURABLE REPRESENTATIVE; but Mr Smith is undoubtedly right when he ſays, that thoſe who ſo accuſe him, muſt ſet him down for a '*moſt egregious* '*fool*.'—What intereſt had Mr Smith to ſerve in attempting to throw out Mr Dundas from that ſituation, *honourable*, no doubt, to him, but of *great advantage* to the Public?— 'He wiſhes,' ſay they, 'to introduce into the repreſentation 'of the City of Edinburgh, a gentleman with 'whom he is connected in buſineſs.'—Shallow fools!—That gentleman is already a Member of Parliament!—The moſt inconſiderable Engliſh Burgh ſuits his purpoſe equally well, with the firſt City or County in the Kingdom!

It

It is generally believed to have been with a view to his mercantile concerns, that that gentleman went into Parliament, and he muſt be a fool indeed, who, in that ſituation, would make the Right Honourable Gentleman his enemy, when he could effect his purpoſe at ſo much cheaper a rate!—So egregious a fool, however, is not Mr Smith; and it is remarkable, that the OLD MAGISTRATE, and IMPARTIAL CITIZEN, who, with all the venom they have thrown out againſt him, have never called his abilities in queſtion, ſhould accuſe him of ſuch folly!—Mr Smith clearly, never had any ſuch object in view.—He knew that he could better ſerve his own intereſt, and promote that of the friend alluded to, by a contrary line of conduct.

The ADDRESS, whether proceeding from the motives I have mentioned, or not, has been productive of the good conſequence called for by AN INHABITANT OF EDINBURGH; an OFFICIAL ſtate of the City's affairs being to be laid before the Public. I by no means, in what I have ſaid, wiſh to attribute to Mr SMITH, motives contrary to the *Intereſt* of the *Public*, but the reverſe; though I think it plain, from his own ſtatement, that he wiſhed to get the management of their affairs into his own hands.

CIVIS.

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